



TNA000243
920

**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
CHATTANOOGA ENVIRONMENTAL FIELD OFFICE
540 McCALLIE AVENUE, SUITE 550
CHATTANOOGA, TENNESSEE 37402
PHONE (423) 634-5745 STATEWIDE 1-888-891-8332 FAX (423) 634-6389**

November 15, 2010

Mr. Chris Layne
8240 R. A. Griffith Highway
Whitwell TN 37397

Subject:

Compliance Evaluation Inspection (CAFO)
Triple "A" Chicks
Permit No. TNA000243
Notice of Violation

WPC Permit Section
RECEIVED
NOV 23 2010
TN Division Of Water
Pollution Control

Dear Mr. Layne:

On September 20, 2010, Ms. Angela Young and Mr. Edward Casavant performed a Compliance Evaluation Inspection of the T&L Poultry Farm. The purpose of the inspection was to determine the facility's compliance with the terms and conditions of NPDES Permit Number TNA000243.

CEI Results

Permit

A new general permit for CAFO's has been issued. This permit authorizes the operation of a CAFO that does not discharge (wastewater or contaminated stormwater runoff) and that is not designed, constructed, operated or maintained such that a discharge could occur. The permit was issued on May 28, 2010. If you are eligible for coverage under this permit you will need to submit a complete application, a site specific nutrient management plan and a closure plan. (A State Operating Permit Application has been included with this Notice).

Records and Reports

Copy of CNMP was not available for review. All other records are available on site. Your 2009 Annual report has not been received by the Division. **This is a violation of Part IV L of Permit No. TNA000243. Please submit your 2009 Annual Report within 30 days of this notice. Please see enclosed permit section pertaining to the Annual Report.**

Comprehensive Nutrient Management Plan (CNMP)

Although a copy of the CNMP was not onsite, T&L Chicks is effectively following their CNMP.

Mortality management

Mortalities are properly managed.

November 15, 2010

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Manure Management

Litter is being land applied as per your Nutrient Management Plan.

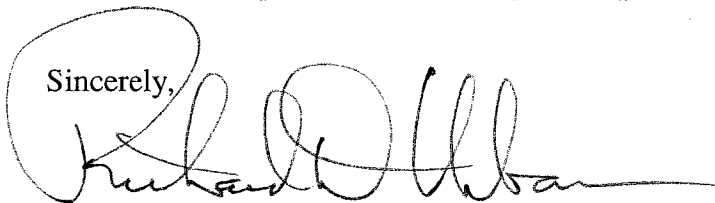
Permit Violations

- Failure to submit your Annual Report is a violation of Part IV L of NPDES Permit No. TNA000243.

A written response to this Notice should be received by this office by **December 15, 2010** as to what actions were taken to remediate the above listed violations.

The Division would like to thank Mr. Layne for his time and cooperation during our inspection. If you have any questions concerning our inspection, please contact Ms. Young at 634-5708.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Urban", is written over a large, hand-drawn oval.

Richard D. Urban Ph. D.
Field Office Manager
Division of Water Pollution Control
Chattanooga, Tennessee

Enclosures

Cc: Ms. Erin O'Brien, Permit Section, Division of Water Pollution Control, Nashville, TN



Tennessee Department of Environment and Conservation,
Division of Water Pollution Control
401 Church Street, 6th Floor L & C Annex, Nashville, TN 37243
(615) 532-0625

**CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)
STATE OPERATING PERMIT (SOP)
NOTICE OF INTENT (NOI)**

Type of permit you are requesting: ☐ SOPCD0000 (designed to discharge) ☐ SOPC00000 (no discharge) ☐ Unknown, please advise

Application type: ☐ New Permit ☐ Permit Reissuance ☐ Permit Modification

If this NOI is submitted for Permit Modification or Reissuance provide the existing permit tracking number: _____

OPERATION IDENTIFICATION

Operation Name:		County:	
Operation Location/ Physical Address:		Latitude:	
		Longitude:	
Name and distance to nearest receiving water(s):			
If any other State or Federal Water/Wastewater Permits have been obtained for this site, list those permit numbers:			
Animal Type: <input type="checkbox"/> Poultry <input type="checkbox"/> Swine <input type="checkbox"/> Dairy <input type="checkbox"/> Beef <input type="checkbox"/> Other _____			
Number of Animals:		Number of Barns:	
Type of Animal Waste Management: (check all that apply)		Name of Integrator:	
		<input type="checkbox"/> Dry	
		<input type="checkbox"/> Liquid	
		<input type="checkbox"/> Liquid, Closed System (i.e. covered tank, under barn pit, etc.)	
Attach the NMP <input type="checkbox"/> NMP Attached		Attach the closure plan <input type="checkbox"/> Closure Plan Attached	
		Attach a topographic map <input type="checkbox"/> Map Attached	

PERMITTEE IDENTIFICATION

Official Contact (applicant):		Title or Position:		<input type="checkbox"/> Correspondence <input type="checkbox"/> Invoice	
Mailing Address:		City:	State:		Zip:
Phone number(s):		E-mail:			
Optional Contact:		Title or Position:		<input type="checkbox"/> Correspondence <input type="checkbox"/> Invoice	
Address:		City:	State:		Zip:
Phone number(s):		E-mail:			

APPLICATION CERTIFICATION AND SIGNATURE (must be signed in accordance with the requirements of Rule 1200-4-5-.05)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and title; print or type	Signature	Date
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STATE USE ONLY

Received Date	Reviewer	EFO	T & E Aquatic Fauna	Tracking No.
	Impaired Receiving Stream		High Quality Water	NOC Date

CAFO NOTICE OF INTENT INSTRUCTIONS

Background. All operations defined as CAFOs (concentrated animal feeding operation) must seek coverage under a permit. Operations that meet the Class II size criteria (TDEC Rule 1200-4-5-.14) and that discharge or that propose to discharge (...if designed, constructed, operated or maintained such that a discharge will occur) need coverage under the General State Operating Permit (SOP) for Concentrated Animal Feeding Operations, Permit Number SOPCD0000. Operation meeting the size criteria for either a Class I or Class II operation that do not discharge and that do not propose to discharge, but otherwise meet criteria in state rules need coverage under the General State Operating Permit (SOP) for Concentrated Animal Feeding Operations (CAFOs), Permit Number SOPC00000. AFOs (animal feeding operations) meeting or exceeding the size thresholds in column 1 of table 1200-4-5-.14-.1 are considered large (Class I) CAFOs. Class I CAFOs that propose to discharge must apply for an individual NPDES permit (application forms are available at: <http://www.state.tn.us/environment/permits/h2oforms.shtml>). All other CAFOs must apply for a state permit using this form. This form must be submitted at least 180 days before a CAFO commences operation.

Complete the form. Type or print clearly, using black or blue ink; not markers or pencil. Answer each item or enter "N/A," for not applicable. If you need additional space, attach a separate piece of paper to the NOI. Applicants must submit a NMP (Nutrient Management Plan), and a closure plan along with this NOI. **The application will be considered incomplete without supplying all of the required information.**

Operation Identification. Describe and locate the project, use the legal or official name of the facility or site. Provide the latitude and longitude (expressed in decimal degrees) of the center of the site, which can be located on USGS quadrangle (i.e. topographic) maps. Topographic maps may be obtained at the USGS website: <http://store.usgs.gov>. Attach a copy of a portion of a 7.5 minute quad map (i.e. 1:24,000-scale topographic map), showing location of site, with boundaries at least one mile outside the site boundaries.

Permittee Identification. Official Contact – Provide the name, telephone number, address, and E-mail address of the person or corporation which proposes to operates or operates and/or profits from this AFO. **Facility Contact** – Provide the name, telephone number, address, and E-mail address of the person most familiar with the operation and with the facts reported in the NOI. This person may be contacted by the division, if necessary. Indicate where to send correspondence and invoices.

Fees. There is no application fee for this permit. An annual maintenance fee may be required and you will be invoiced at a later date.

Submitting the form and obtaining more information. Note that this form must be signed by the chief executive officer, owner, or highest ranking elected official. Submit a complete application to both the Tennessee Department of Agriculture (TDA) and to TDEC-WPC; keep a copy for your records. Original documents should be sent to TDEC-WPC and a copy should be sent to TDA, at the addresses below:

CAFO Notice of Intent TDEC Division of Water Pollution Control 401 Church Street 6th Floor L&C Annex Nashville, TN 37243	CAFO Notice of Intent Water Resources TDA-Ellington Agricultural Center PO Box 40627 Nashville, TN 37204
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Upon receipt of the required items the division will conduct a review of the material, and notify the applicant of any deficiencies. Notification may also come from the Tennessee Department of Agriculture, which reviews the NMP. When all the deficiencies have been corrected, the division will process the NOI and issue permit coverage.

The division has the right to inspect a facility when deemed necessary. In addition, the division has the right to revoke or suspend any permit for violation of permit conditions or any other provisions of the Tennessee Water Quality Control Act and other water pollution control rules.

The division is responsible for regulating any activity, which involves a potential discharge in order to protect waters of the State from pollution and to maintain the highest possible standards in water quality.

Obtaining more information/assistance For more information or assistance, contact your local Environmental Field Office (EFO), toll-free, at 1-888-891-8332 (TDEC) or at the number listed below.

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	540 McCallie Avenue STE 550	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38133	(901) 371-3000
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000



United States Environmental Protection Agency
Washington, D. C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction 1	Code 2	NPDES 3	yr / mo / day 12	Inspection Type 17	Inspector 19	Facility Type 20
N		T N A 0 0 0 2 4 3	1 0 0 9 2 0	=	S	3
Remarks 21						
Inspection Work Days 67						
Facility Self - Monitoring Rating 70						
BI 71						
QA 72						
Reserved 73						
80						

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Triple "A" Chicks 8040 R. A Griffith Highway Whitwell TN 37397	Entry Time / Date 1100/09/20/10	Permit Effective Date June 25, 2005
Name(s) of Onsite Representative(s) / Title(s) / Phone and Fax Number(s) Chris Layne, Owner – ph. 423-413-8227	Exit Time / Date 1130/09/20/10	Permit Expiration Date Aug 5, 2009
Name, Address of Responsible Official / Title / Phone and Fax Number Same as above	Other Facility Data (e.g., SIC NAICS, and other descriptive information)	
Contacted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/> Permit	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> MS4
<input type="checkbox"/> Records / Reports	<input type="checkbox"/> Compliance Schedules	<input type="checkbox"/> Pollution Prevention	<input checked="" type="checkbox"/> CAFO
<input type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Storm Water	
<input type="checkbox"/> Effluent/ Receiving Waters	<input type="checkbox"/> Operation & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings / Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

Name (s) and Signature of Inspector Angela Young Environmental Specialist IV	Agency / Office / Phone and Fax Numbers State Of Tennessee Division of Water Pollution Control Chattanooga Environmental Field Office Phone: (423) 634-5745 Fax: (423) 634-6389	Date 11-15-10
Name (s) and Signature of Inspector Edward Casavant Environmental Specialist III	Agency / Office / Phone and Fax Numbers State Of Tennessee Division of Water Pollution Control Chattanooga Environmental Field Office Phone: (423) 634-5745 Fax: (423) 634-6389	Date 11-15-10
Signature of Management/QA Reviewer Richard D. Urban, PhD.	Agency / Office / Phone and Fax Numbers State Of Tennessee Division of Water Pollution Control Chattanooga Environmental Field Office Phone: (423) 634-5745 Fax: (423) 634-6389	Date 11/17/10

